

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael T. Cruz (Reg. No. 44,636) on 1/14/2010.

Examiner Amendments

The application has been amended as follows:

Claims 1, 7, 22, and 27 are amended as follows. Claims 2-6, 8-21, 23-26, and 28-29 are previously presented, as submitted by Applicant on 10/25/2010.

1. (Proposed Amendment) In a media exchange network comprising a media exchange server, a network, a first private home and a second private home, the media exchange server being external to the first private home and to the second private home, a system for adapting media content, comprising:

a first communications device disposed in the first private home, ~~and being~~
wherein the first communications device is a first media content source, wherein the first communications device ~~being~~ is operatively coupled to the network via a first broadband access headend, wherein the first communications device ~~updating~~ updates a device profile within the first communications device, wherein the device profile includes capabilities of ~~relating to~~ the first communications device, wherein the first

Art Unit: 2444

communications device automatically sends the updated device profile to a second communications device in a second private home, wherein the first communications device comprises ~~comprising~~ a first media processing system, wherein the first media processing system comprises ~~comprising~~ a first software platform that provides at least the following: user interface functionality, distributed storage functionality, networking functionality, control over first media peripheral devices in the first private home, status monitoring of the first media peripheral devices, and inter-home routing to other communication devices including the inter-home routing to the second communications device in the second private home; and

the second communications device ~~being~~ disposed in the second private home, ~~and being~~ wherein the second communications device is a second media content source, wherein the second communications device is ~~being~~ operatively coupled to the network via a second broadband access headend, wherein the second communications device ~~receiving~~ receives the updated device profile relating to the first communications device, wherein the second communications device adapts ~~adapting~~ media content based upon the updated device profile of the first communications device to form adapted media content, wherein the adapted media content is set to a first quality level that is lower than a second quality level, wherein the first quality level and the second quality level are supported by the first communications device, ~~and~~ wherein the second communications device pushes ~~sending~~, in a private, non-broadcast channel, the adapted media content with a file associated with the media content to the first communications device, wherein the file comprises information as to where the media

Art Unit: 2444

content of a highest quality level is stored outside of the first private home and the second private home, wherein the second communications device comprises
~~comprising~~ a second media processing system, wherein the second media processing system comprises ~~comprising~~ a second software platform that provides at least the following: user interface functionality, distributed storage functionality, networking functionality, control over second media peripheral devices in the second private home, status monitoring of the media peripheral devices, and inter-home routing to other communication devices including the inter-home routing to the first communications device in the first private home,

wherein the first communications device and the second communications device use respective TV channel guide look-and-feel user interfaces to display private, non-broadcast channels and public broadcast channels from ~~each~~ the other of the first communications device and the second communications device,

wherein the private, non-broadcast channels displayed in the first private home comprise the private, non-broadcast channel originally constructed, originally sourced, and sent by the second communications device and private, non-broadcast channels originally constructed and originally sourced by the first communications device,

~~wherein the adapted media content is set to a first quality level that is lower than a second quality level, the first quality level and the second quality level being supported by the first communications device, and~~

~~wherein the file comprises information as to where the media content of a highest quality level resides outside of the first private home and the second private home.~~

17. (Proposed Amendment) A system for adapting media content, comprising:
a set-top box system disposed in a private home, wherein the set-top box system ~~is being~~ operatively coupled to a network that extends outside the private home, wherein the set-top box system revises ~~revising~~ a device profile of the set-top box system, wherein the set-top box system stores ~~storing~~ the revised device profile of the set-top box system, wherein the set-top box system automatically ~~sends~~ sending the revised device profile to the network, ~~and~~ wherein the set-top box system receives ~~receiving~~ a file, pushed from an other set-top box system outside the private home in a non-broadcast channel, associated with media content and the media content that has been adapted based upon the revised device profile ~~from another set-top box system~~, wherein the non-broadcast channels comprise non-broadcast channels originally constructed, originally sourced, and sent by other set-top box systems and non-broadcast channels originally constructed and originally sourced by the set-top box system, wherein the adapted media content is set, by the other set-top box system that sent the adapted media content, to a first quality level that is lower than a second quality level, wherein the first quality level and the second quality level are supported by the set-top box system, wherein the file is associated with the media content and identifies a location where the media content of a highest quality is stored, wherein the location where the media content of the highest quality is stored is not the other set-top box system that sent the adapted media content.

Art Unit: 2444

wherein each of the set-top box system and the other set-top box system comprises a media processing system, wherein the media processing system comprises ~~comprising~~ a software platform that provides at least the following: user interface functionality, distributed storage functionality, networking functionality, control over media peripheral devices in the private home, status monitoring of the media peripheral devices, and inter-home routing to other set-top box systems,

wherein each set-top box system uses a TV channel guide look-and-feel user interface to display non-broadcast channels from each other and broadcast channels,

~~wherein the non-broadcast channels comprise non-broadcast channels originally constructed, originally sourced, and sent by other set-top box systems and non-broadcast channels originally constructed and originally sourced by the set-top box system,~~

~~wherein the adapted media content is set to a first quality level that is lower than a second quality level, the first quality level and the second quality level being supported by the set-top box system,~~

~~wherein the file comprises information as to a location where the media content of a highest quality level resides, and~~

~~wherein the location is different from a source of the adapted media content.~~

22. (Proposed Amendment) A method for adapting media content, comprising:

Art Unit: 2444

updating, by a second communications device, a device profile stored in the second communications device, wherein the device profile includes capabilities of and relating to the second communications device, wherein the second communications device is disposed in a second private home;

automatically sending the updated device profile from the second communications device ~~of a second home~~ to a first communications device ~~of a first home~~ over a network ~~that extends outside the first home and the second home,~~ wherein the first communications device is disposed in a first private home, wherein the network extends outside the first private home and the second private home, wherein each of the first communications device and the second communications device comprises a media processing system, wherein the media processing system comprises comprising a software platform that provides at least the following: user interface functionality, distributed storage functionality, networking functionality, control over media peripheral devices in the private home corresponding to the respective communications device, status monitoring of the media peripheral devices in the private home corresponding to the respective communications device, and inter-home routing to other communications devices including the first communications device and the second communications device;

receiving, by the first communications device ~~of the first home,~~ the updated device profile sent by ~~relating to~~ the second communications device ~~of the second home,~~ ~~the first communications device and the second communications device being~~ ~~operatively coupled to the network;~~

Art Unit: 2444

adapting, by the first communications device, media content based upon the updated device profile, wherein the adapted media content is set to a first quality level that is lower than a second quality level that is supported by the second communications device, wherein a file comprises information identifying where the media content of a highest quality level is stored resides, and wherein the information identifies a location that is different from the first communications device ~~a source of the adapted media content~~;

pushing sending, in a non-broadcast channel, the file associated with the media content and the adapted media content to the second communications device; and

providing, by the second communications device, a TV channel guide look-and-feel user interface to display non-broadcast channels and broadcast channels, wherein the non-broadcast channels displayed in the ~~first~~ second private home by the second communications device comprise the non-broadcast channel originally constructed, originally sourced and sent by the first communications device and non-broadcast channels originally constructed and originally sourced by the second communications device.

27. (Proposed Amendment) A method for adapting media content, comprising: storing, in a first communications device system in a private home, a revisable device profile of the first communications device system, wherein the first communications device system ~~is being operatively~~ coupled to a network that extends

Art Unit: 2444

beyond the private home, wherein the revisable device profile includes capabilities of the first communications device system;

updating, by the first communications device system, the revisable device profile of the first communications device system;

automatically sending, over the network by the first communications device system, the updated device profile to an other communications device system ~~the network~~, wherein each of the first communications device system and the other communications device system comprises a media processing system, wherein the media processing system comprises ~~comprising~~ a software platform that provides at least the following: user interface functionality, distributed storage functionality, networking functionality, control over media peripheral devices in the private home, status monitoring of the media peripheral devices, and inter-home routing to other communications ~~devices~~ device systems;

receiving a file, pushed from the other communications device system in a non-broadcast channel, and the media content that has been adapted by the other communications device system that sent the file based upon the revised device profile, wherein the non-broadcast channels comprise non-broadcast channels originally constructed, originally sourced, and sent by the other communications device system and non-broadcast channels originally constructed and originally sourced by the first communications device system, wherein the adapted media content is set, by the other communications device system, to a first quality level that is lower than a second quality level, wherein the first quality level and the second quality level are supported by the

Art Unit: 2444

first communications device system, wherein the file is associated with the media content and identifies a location where the media content of a highest quality is stored, wherein the location where the media content of the highest quality is stored is not the other communications device system that sent the adapted media content; and

~~receiving, by the communications device and in a non-broadcast channel from the network, a file associated with the media content and the media content that has been adapted based upon the sent device profile, wherein the adapted media content is set to a first quality level that is lower than a second quality level that is supported by the communications device, wherein the file comprises information identifying where the media content of a highest quality level resides, and wherein the information identifies a location is different from a source of the adapted media content; and~~

providing, by the first communications device system, a TV channel guide look-and-feel user interface to display non-broadcast channels and broadcast channels, wherein the non-broadcast channels displayed in the private home comprise the non-broadcast channel originally constructed by, originally sourced by, and received from the other communications device system ~~of the network~~ and non-broadcast channels originally constructed and originally sourced by the first communications device system.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:
3. The closest prior art of record, US 2004/0045030 to Reynolds, teaches a system where communications devices share media presentations. However, Reynolds does

Art Unit: 2444

not disclose at least that the content is pushed from one communication device to the other, or the specific channel look and feel. The TV channel guide look-and-feel user interface, in as much detail as provided in the instant claim, presents a similar interface to what a user would expect from standard television, such as from a cable TV service provider, where the interface provides both broadcast channels, such as that from a cable TV service provider, as well as non-broadcast channels, which would include the channels pushed from other communication devices. Further, Reynolds does not disclose expressly details concerning how the second communications device adapts the media content to a quality lower than the initial quality, or how a file is presented with the media content that identifies a location where the highest quality version of the content may be found (such as the original file), where the location is not the communication device that pushed the file. Further, no other prior art of record fairly teaches or suggest modifying Reynolds to arrive at the invention in as much detail as provided in the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Christensen whose telephone number is (571)270-1144. The examiner can normally be reached on Monday through Thursday 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. C./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444